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ABSTRACT

Youth courts spread rapidly around the country in the 1990s, sharing important goals with law-related education (LRE), including a strong potential to improve the citizenship skills of young people. Youth court is a general term describing courts that involve young people in the sentencing of their peers. This technical bulletin provides an overview of youth courts, explains their connection and positive contribution to LRE, profiles the support of the legal profession, and provides resources for the creation and enhancement of youth courts. The bulletin also gives steps for implementing a youth court and profiles one peer court in Salt Lake City (Utah). (BT)

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Paula A. Nessel

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TECHNICAL ASSISTANCE Bulletin NO. 17

American Bar Association ABA Division for Public Education

Youth Court: A National Movement

By Paula A. Nessel

Youth courts* have been spreading rapidly around the country in the 1990s. They share important goals with law-related education (LRE), including a strong potential to improve the citizenship skills of young people. This paper will provide an overview of youth courts, explain their connection and positive contribution to LRE, profile the support of the legal profession, and provide resources for the creation and enhancement of youth courts.

What Are Youth Courts?

Youth court is a general term describing courts that involve young people in the sentencing of their peers, whether in a school, juvenile justice, or a community setting. These courts usually have young people serving as jurors and may also have them fulfilling the roles of prosecuting attorney, defense attorney, judge, bailiff, or other officers of the court. In most youth courts, young offenders are referred for sentencing, not for a decision of guilt or innocence. There are, however, many different models (see below), including some that determine guilt or innocence.

Young offenders voluntarily choose youth court, with parental approval, as an alternative to the criminal justice system or a disciplinary office. Offenders who prefer legal representation and/or the regular court or disciplinary system can decline referral to youth courts.

Youth court sentences commonly include community service (1–200 hours), jury duty (up to 12 times), restitution, and apologies. Additional sentencing options include counseling, educational workshops on substance abuse or safe driving, essay writing (100–1000 words), victim-awareness classes, curfew, drug testing, school attendance, and peer discussion groups.

Table 1: Types of Offenses Accepted by Youth Courts

Offense	% of Programs Accepting
Theft	97
Alcohol/Drug Offenses	95
Vandalism	92
Disorderly Conduct	90
Assault	83
Traffic	59
Truancy	48
Violent	20
Other	27

(Godwin 1996)

Most youth courts are based in the juvenile justice system or in a community setting. The most common agencies operating or administering youth court programs are juvenile courts and private nonprofit organizations (29 percent each). The next most common agencies are law enforcement agencies and juvenile probation departments (17 percent each). Schools are the operating agency for about 10 percent of youth courts while a variety of other agencies (e.g., city government, the administrative office of the court) are less commonly the operating agency. *(Godwin 1996)*

Many youth courts accept only first-time offenders who have committed relatively minor offenses. Table 1 identifies the offenses most commonly accepted by youth courts.

The Growth of Youth Courts

The date and location of the first youth court has not been conclusively established. According to the director of the Town of Horseheads Youth Court in New York, their court was established in July 1976 and was based on the model in use in

OJJDP
Office of Juvenile Justice and Delinquency Prevention

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* Youth court is used as a generic term for teen court, peer jury, peer court, student court, and other courts using youth in determining the sentences of juvenile offenders.

Ithaca (N.Y.). The court in Ithaca ended operation years ago, making the Horseheads court the oldest continuing youth court in the state. Sharing the same longevity is the Grand Prairie Teen Court in Texas, also established in 1976.

Evidence shows that in 1991 there were over 50 youth courts in 14 states, including at least 30 in Texas. In 2000, the number of youth courts is close to 650 in 45 states plus Washington, D.C. Their rapid growth is compelling evidence that they are fulfilling a recognized need. The implication of the growth is even more dramatic when one considers that youth courts have traditionally been created by a wide variety of local organizations (e.g., Junior League, American Legion Auxiliary, youth bureau, probation office, juvenile court, bar association, YMCA, sheriff's office, police department) with no single central linking organization.

Taking note of the grass-roots effort, the federal government began providing support for youth courts in the 1990s. The National Highway Traffic Safety Administration (NHTSA), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Substance Abuse and Mental Health Service Administration (SAMSA) provided funds to the American Probation and Parole Association (APPA) for a major youth court initiative. The initiative began in 1994 with a national survey of youth courts and the publication of *Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs* (Godwin 1996). The APPA also conducted a series of 13 regional training seminars and provided technical assistance to more than nine agencies or consortiums interested in developing or enhancing youth courts. In 1998, OJJDP hosted a satellite teleconference titled "Youth Court: A National Movement" and funded major national grants for youth court evaluation (*see* "Evaluation of Teen Courts") and training. In 1999 and 2000, OJJDP managed a multifaceted national training and technical assistance program with the Departments of Transportation, Education, and Health and Human Services.

A number of state governments also began providing support for youth courts in the 1990s. Kentucky Supreme Court Justice Robert F. Stephens led the way when he established youth courts in his state in 1992 through the Administrative Office of the Courts' law-related education program. Minnesota launched a statewide youth court initiative supported by Governor Arne H. Carlson, who earmarked $3 million for youth courts in the 1997–98 biennial budget. West Virginia passed legislation to establish pilot youth courts in three of the state's 55 counties. North Carolina passed legislation establishing three pilot youth courts in 1993. New York allocated $875,000 in federal Bureau of Justice Assistance

Steps for Implementing a Youth Court

Conduct a stakeholder analysis.

Solicit advice and input from key persons in the community.

Assess needs and resources.

Explore legal issues that may impact the program.

Create an advisory board.

Determine the program's purpose, goals, and objectives.

Determine an appropriate target population.

Examine staffing issues.

Develop policies and procedures for referrals, case management, training, etc.

Identify and secure financial and in-kind support for the program.

Secure needed services for the program and its clients, such as arrangements for the sentencing options (community service locations, educational classes, peer discussion groups).

Market and promote awareness of the program.

Formulate evaluation goals and procedures.

For more complete information on implementing youth courts, see *Peer Justice and Youth Empowerment* listed in "Resources."

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(BJA) funding to support 30 new youth court programs. New York State Division of Criminal Justice Service received $150,000 from BJA to research the efficacy of youth courts. Florida legislation passed in 1996 permitted funding for youth courts through the collection of $3 from those convicted of violating a state criminal statute or a municipal ordinance.

The Major Models

The 1994 survey of youth courts by the American Probation and Parole Association (Godwin 1996) identified a peer jury model and three other models. The Peer Jury Model employs a panel of teen jurors who question the offender directly. No defense or prosecuting attorney is employed. The judge is usually an adult volunteer.

The most common of the youth court models is the Adult Judge, which employs an adult judge to rule on courtroom procedure and clarify legal terminology and youth volunteers as defense and prosecuting attorneys and jurors. Young people may also serve as bailiff and clerk. The Youth Judge Model is similar to the Adult Judge Model, except in that a juvenile serves as judge, usually after a length of service as a youth court attorney. Finally, the Tribunal Model has no peer jury. Instead, the prosecuting and defense attorneys present cases to a juvenile judge(s) who determines the sentence.

Youth Courts and Law-Related Education

Youth courts and law-related education share many goals. The Law-related Education Act of 1978 defined LRE as "education to equip nonlawyers with knowledge and skills pertaining to the law, the legal process, and the legal system, and the fundamental principles and values on which these are based." Prompted by the publication of educational standards in areas such as math, science, and history in the early 1990s, leaders in the field of LRE collaborated with the American Bar Association Division for Public Education to agree upon what constituted the essence of LRE. The resultant document, *The Essentials of Law-Related Education* (American Bar Association 1995), outlined four key factors essential to LRE.

Essential LRE Factors

- LRE fosters the knowledge, skills, and values that students need to function effectively in a pluralistic, democratic society based on the rule of law.
- Since law saturates our lives, LRE focuses on real issues that affect real people in real situations.
- LRE provides active learning experiences to explore rights and responsibilities, confront and resolve disputes, and discuss and analyze public issues.
- LRE strives to develop the active citizens our society requires: those who can understand, live in, and contribute positively to the civic communities to which they belong.

How do youth courts fit within this description of LRE?

LRE fosters the knowledge, skills, and values that students need to function effectively in a pluralistic, democratic society based on the rule of law.

Each youth court case teaches both the student volunteers and the offenders about the rules or laws that were broken, the consequences of the offenses, and how due process is observed by court procedure. In addition, the volunteers and offenders learn about key LRE concepts of justice, power, equality, property, and liberty. Justice is demonstrated when perpetrators of proscribed acts receive appropriate consequences (sentences) for their actions. Property and power are addressed in cases such as vandalism, assault, or shoplifting. The court provides equal justice according to established rules and procedures. Liberty is addressed when the desire of the individual offender is weighed against the rights of others (such as the victim in a theft or an assault).

The *Essentials* lists important values, attitudes, and beliefs that are fostered by LRE:

- A commitment to constitutional democracy
- Dedication to the ideal of justice in society
- Informed, active, and responsible participation in civic life
- Respect for the fundamental dignity and rights of humans
- An appreciation for legitimately resolving societal conflicts and differences

Youth courts foster these values, attitudes, and beliefs in their participants (volunteers and offenders) who voluntarily commit their time to youth court in the pursuit of justice. The student volunteers, moreover, demonstrate a belief in active and responsible participation in civic life, a respect for the rights of the offender and victim, and an appreciation for a legitimate response to societal conflicts by deciding appropriate consequences for the offenses in question.

Since law saturates our lives, LRE focuses on real issues that affect real people in real situations.

Youth courts make use of established rules and regulations in a school setting or the juvenile law in a community setting and have real offenders in very real situations. Because it is real, the volunteers must learn the self-discipline of confidentiality. The consequences of the jury's decision have an impact on defendants whom the volunteers see face-to-face.

LRE provides active learning experiences to explore rights and responsibilities, confront and resolve disputes, and discuss and analyze public issues.

Instead of reading about court procedure, jury duty, sentencing options, and community service, youth court participants learn through experience. The deliberation process of weighing conflicting points of view and deciding a just and appropriate sentence is an excellent example of active learning. The participants also learn firsthand the consequences of delin-

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quent behavior. Their learning is enhanced by the offenders' opportunity to "make things right" by fulfilling their sentences. Moreover, youth court participants (offenders and volunteers) are involved in the active learning of community service, which is a very common component of youth court sentences. While offenders do not arrive at community service freely, they have the opportunity to learn its importance, may enjoy the activity, and may experience an increase in their self-esteem by recognizing their positive contribution to the community.

LRE strives to develop the active citizen our society requires: those who can understand, live in, and contribute positively to the civic communities to which they belong.

Youth courts exemplify this LRE goal. Volunteers are active citizens who donate their time, provide their communities with a positive response to juvenile offenses, and learn about the role of justice in a democratic society. Young offenders not only learn the consequences of delinquent behavior but, through creative sentencing, also may gain a more positive attitude about their communities. Sentences such as jury duty, which gives them the opportunity to experience the responsibility of the deliberation process, and community service or restitution, which allows them to give back something to the community, help young offenders see themselves as persons capable of practicing good citizenship skills.

Delinquency Prevention

Practitioners of LRE have generally accepted that delinquency prevention is one of the positive outcomes of LRE. Research conducted in the early 1980s (Hunter 1987) found that when LRE instruction was properly implemented (using interactive techniques, adequately prepared outside resource persons, balanced selection of case materials, etc.), it had a positive effect on students' self-reported attitudes.

There is much anecdotal evidence and some research (see "Evaluation") indicating that young offenders referred to youth court are less likely to continue delinquent behavior than those offenders handled by traditional courts or disciplinary procedures. Teens tend to see a decision of their peers as having greater validity than a judgment by an adult, whether he or she is a police officer, a juvenile court judge, or a school assistant principal. Teen jurors are not only more familiar with the environment in which the offense occurred, they are also more likely to correctly assess the validity of excuses offered by the defendants. Student volunteers also report that they are deterred from delinquency by witnessing the consequences of the cases they encounter in court. Youth courts hold young people accountable for offenses that, under the traditional justice or disciplinary system, are often seen as receiving "slap on the wrist" types of responses.

The Educational Role

Youth courts inform and educate young people about the role of law in our democracy and about their role as active citizens. Youth courts share the goals of law-related education by providing participants with the knowledge, attitudes, and skills to be active and positive contributors to society. Ideally, youth courts seek to educate participants not only about court procedure, sentencing options, and trial techniques but also about the structure of our juvenile and adult justice systems, the meaning of justice, the role of rehabilitation, and the relationship between rights and responsibilities. Young people who are equipped with that knowledge are inclined to have a better understanding of their connection to the American system of justice and to feel they are participants in it instead of potential victims of it.

Training

The educational role of youth courts is enriched by the orientation and training offered to young participants. Some youth courts have an extensive training program for student volunteers who want to participate as officers of the court (attorney, judge, bailiff, and clerk) or as foreman of the jury. One example of such a program is the Anchorage Youth Court in Alaska, a Tribunal Model youth court in which a panel of three teenage judges decides guilt or innocence and determines the sentence. The volunteer judges, attorneys, and bailiffs must complete an eight-week (16-hour) training course covering youth court jurisdiction, procedure, evidence, advocacy, and case preparation. After completing the course, students must pass a bar exam and complete four hours of sentencing training before becoming officers of the courts. They must also attend monthly meetings that include 30-minute continuing legal education classes. Yearly training for trial judges and appeals judges is also required.

Salt Lake City, Utah, uses a Peer Jury Model, in which seven peer court students question an offender and his or her parents and determine a sentence. The peer court training begins with a two-day overnight session for 50–60 students from four of the city's high schools. The intensity of the training is considered essential to ensure that the student volunteers from various neighborhoods and socioeconomic and ethnic backgrounds will be able to work together compatibly. The main topics addressed in the training are court procedures, communications skills, the role of mentoring, restorative justice (e.g., competency development, public safety, accountability, and strengthening ties to the community), and juvenile law. The student volunteers receive an additional four-hour training session in peer mediation. Student volunteers receive 0.5 elective pass/fail credit for their participation. (See the box on page 5 for additional information about Salt Lake City's Peer Court.)

Some youth courts, both community- and school-based, rely upon students enrolled in high school law classes to fill the positions of officers of the court. Law classes linked to student courts tend to be a semester in length and provide 0.5 credit. The curriculum may cover a general introduction to the judicial system, specific statutes/rules handled by the student

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court, and court procedures and skills. When classes are linked to a school-based court, the latter part of the semester may involve hearing cases interspersed with additional educational topics and mock trials.

In order to assist youth courts in providing high quality training to youth volunteers, the American Bar Association Division for Public Education is creating an educational/training package that will be available in 2001. The package will contain instructor's guides, youth handbooks, and a short video to support understanding of the law and our justice system and the volunteers' roles as youth court participants. Among the topics addressed will be the judicial process, rules of conduct, restorative justice, and the responsibilities of youth court officers and jurors. Distribution of the educational/training package will be made to all existing and developing youth courts known to the National Youth Court Center (see page 7).

Student Courts

Youth courts that handle only school referrals are receiving increasing attention from educators who are looking for ways to improve students' citizenship skills and decrease problematic behavior. Sometimes youth courts meet in schools but accept referrals from community organizations, such as the county probation department, the juvenile court, the police department, and the sheriff's office. More often, student courts accept only referrals from within the school.

Student courts pose special challenges because of the complexity of creating new programs in schools. The following are among the issues that make the creation of student courts problematic:

- The fulfillment of state curriculum standards results in a very full schedule during school hours.
- Scheduling time for court sessions before or after school creates logistical problems.
- Working with the relatively small population of students in a school (as compared to all the students in a community setting) increases concern about confidentiality.
- The school administration's ultimate responsibility for discipline causes concern over students' ability to accept a disciplinary role in a responsible manner.

Salt Lake City's Peer Court—A Student Court in a Community Setting

Salt Lake City's peer court has many interesting components. It is a student court, in that it accepts referrals only from school personnel (counselors, administrators, social workers, and police serving as school resource officers), but serves a community of several elementary and secondary schools. Most offenses involve tobacco usage or truancy, but there are also school-based thefts, vandalism, and trespassing. Cases involving fighting are referred to mediation, in which adult/student teams serve as mediators*.

Sentencing options include a variety of school-based and community-based community service placements, tutoring, Life Enhancement Alternatives Program (educational classes), essays, research papers, and letters of apology. In 1997–98, the court heard 170 cases. This was a significant increase over the 40 plus cases heard in each of the four prior years of the court's existence. More than 80 percent of the offenders whose cases were heard completed their sentences successfully.

Mentoring is an important part of the Salt Lake Peer Court process. At the conclusion of each dispositional hearing, one of the peer court panel members elects to be the mentor for each offender. The student mentor has weekly meetings with the offender until the sentence is completed. An adult adviser is also assigned to each offender and contacts him/her or the parent weekly**. The student mentor and adult adviser are present at the "reappearance hearing" at which the offender is awarded a "certificate of completion."

Salt Lake City Peer Court receives significant funding from a Safe and Drug-Free Schools grant (from the U.S. Department of Education), a grant from the Utah Commission on Juvenile Justice, a private foundation, and the mayor's office. The school district liaisons to the court are paid for by the participating high schools and the court has received in-kind support from the Utah LRE program.

* Peer mediation programs and student court programs complement each other's functioning. Person-to-person disputes may be handled more appropriately by peer mediation while status offenses and offenses in which the school or a non-specific victim exists may be more appropriately handled by a student court.

** Adult advisers (volunteers from area colleges and the community at large) attend the same two-day training as the student volunteers plus an additional four hours of training. They attend two of every three weekly court sessions and act as advisers to three to four offenders at a time.

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Student courts are sometimes established to handle very limited types of offenses. One student court handles only traffic offenses on the school grounds (such as parking lot violations). Other student courts handle only truancy and smoking violations. Still others address a wide variety of offenses including insubordination, minor theft of student property, minor vandalism, fistfights, cheating, and loitering.

Student courts' membership varies greatly from school to school. For instance, members of the jury in a trial model may be drawn from applicants throughout the student population, from random selection among students in study hall, or from among trained student court members. Likewise, student courts employing students as judges or peer jurors may draw from applicants as diverse as the student body or may use only the students specially trained as court officers, either as an extracurricular activity or as members of a law class meeting throughout the semester. One middle school includes two adults along with five students on each (peer jury model) panel of "justices."

A Lawyer's Inside View of Youth Court

Deputy District Attorney Richard D. Huffman is a member of the San Diego County Bar Association (California) and the judge for the San Diego Youth Court. Since the court has expanded to five sites, he presides as judge on five to seven evenings monthly. We asked him to share some of his reflections on youth court.

Q: When and how did you first become involved in youth court?

A: Several years ago, a buddy of mine volunteered with the program, and every day at the gym he would share stories of what happened. As interesting as these anecdotes were, it never occurred to me to volunteer. One morning he called me at the office, made a few moments of small talk, and then asked me if I thought I might be willing to volunteer for the program. "Sure," I replied. Then he asked me if I'd ever consider being the judge in the program. "Sure, why not?" Then he said, "What are you doing tonight?" Apparently the attorney who had been serving as the judge bailed out that morning and they needed a replacement.

I called my father, a justice on the 4th District Court of Appeal, and asked if I could borrow one of his robes. He did even better than that: he gave me his old courthouse sign from superior court. It says "Richard D. Huffman—Judge." Just happens to be my name, too. I got all the materials I could get, took about six hours of comp time, and got as ready as I could get.

As youth court judge, I talked to all these kids like they were people. I wanted them to understand what they were doing. I had never done anything like this before, and the kids were great!

After the session was over, the program coordinator asked me to come back. So did some of the kids and parents. That was five years ago, and I've been the judge ever since.

Q: Why do you think youth court is effective?

A: The kids feel empowered, especially the former offenders who are now passing judgment [as members of youth court juries]. They experience positive, instead of negative, peer pressure. They perceive authority and fairness. We can tailor a sentence that fits the crime and serves to educate as well. We strike a very fine line between imposing the sentence that the jury suggests, making those modifications required to stay fair, and using common sense.

The best, most subtle, thing we have is caring people who take the time to try to find the cases and kids we can reach. The greatest asset we have is the incredible people who give so much to our program. So far we haven't even bought them so much as a pizza, yet they invest huge masses of time and energy into this program and these kids. This is why we are successful.

Q: What do you think is the future of youth court?

A: There is no future for youth courts without support (financial, moral, and logistical). We have modeled ours after the superior court. It is countywide, and thus uniform, yet at the same time, makes adjustments for each individual community. We have tailored the individual sites to suit each community while still remaining uniform and fair.

The key is to strike a difficult, intelligent balance between institutional and flexible. Youth court needs to be institutional, in that it needs to be funded, supplied, uniform, and fair; and it has to look, smell, and sound like a court. If anything, it requires more of the trappings of authority than the adult version.

However, with institutionalization comes the risk of losing common sense and flexibility. Youth court must adhere to common sense. Its mission is to make a difference in the lives of kids by finding a fair solution to a problem and ensuring that everyone in the room learns something from the process of finding that solution. Thus, youth court is about fairness and common sense.

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The school structure has an influence on both the scheduling of student court sessions and the types of sentences employed. Student court sessions may be scheduled at a variety of times, such as during lunch, immediately after school, during class time (especially when law class members are the officers of the court), or in the evening at a local courthouse. While student courts use many of the same sentences as community-based youth courts, they also include detentions, in-school suspensions, Saturday School attendance, fines for parking violations, and tutoring. In addition, the community service options may be limited to the school site.

The National Youth Court Center

In 1999, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) established the National Youth Court Center (NYCC) at the American Probation and Parole Association (APPA) in Lexington, KY. The Center serves as a central point of contact for youth court programs and provides training, technical assistance, and resource materials to existing and developing youth courts.

The NYCC's clearinghouse and Web site www.youthcourt.net serve to gather and disseminate information about all aspects of youth courts and contain the most complete national list of youth courts. The NYCC's database allows customized searches to meet specific requests for information.

The Center provides technical assistance and regional and national training seminars for both new and operating youth court programs. In addition, the NYCC is coordinating a national youth court conference in Albuquerque, NM, to be held October 22–24, 2000. The conference offers more than 30 workshops for both adults and young people who are involved in youth courts.

The NYCC has developed national guidelines to assist youth court programs in developing policy and implementing practices that promote accountability and integrity. The National Youth Court Guidelines address topics such as program planning and community mobilization, program staffing and funding, legal issues, the referral process, volunteer recruitment and training, case management, and program evaluation. The Center is also compiling a compendium of resources to assist in the implementation of the guidelines.

The Center has formal partnerships with three of OJJDP's law-related education (LRE) program grantees to develop materials and/or assist in the promotion of youth courts to appropriate constituents. As mentioned above, the American Bar Association is creating an educational/training package for youth volunteers. In addition, the ABA will promote the educational/training package, and youth courts in general, to a broad spectrum of education and justice-related organizations. Street Law, Inc., in Washington, D.C., is creating an education curriculum with lessons linked to the most common offenses for which offenders are referred, such as assault/fighting, substance abuse, theft/shoplifting, and vandalism/trespass. Phi Alpha Delta Public Service Center (the largest law fraternity) is coordinating a National Lawyer/Law Student Recruitment Initiative to link youth court programs around the country with PAD law student, lawyer, judge, congress and senate alumni members who are interested in assisting with their local youth court programs. For more information about these initiatives, see the Resources section at the end of this document.

How Do Lawyers, Judges, and the Bar Support Youth Courts?

Lawyers, judges, and bar associations perform an important role in the creation and maintenance of youth courts. They serve on advisory boards, assist in drafting policies and procedures, file for incorporation, train volunteers about the justice system, coach student attorneys on trial skills, act as judges, and organize fund-raising. Lawyers supporting youth courts on a national scale include NHTSA Deputy Administrator Philip R. Recht in the U.S. Department of Transportation and OJJDP Acting Administrator John J. Wilson in the Department of Justice. Other major supporters of youth courts include Kentucky Supreme Court Justice Robert F. Stephens, who spearheaded the establishment of youth courts in his state; Michele Heward, criminal justice instructor at Weber State University in Utah; Frederic B. Rodgers, Presiding Judge of Westminster (Colorado) Municipal Court; Jonathan Cole and Scott Carey, members of a large Nashville (Tennessee) law firm; J. Dale Durrance, Judge of the Tenth Judicial Circuit of Florida; William Pericak, Assistant U.S. Attorney for the Northern District of New York; Fredric J. Ammerman, Judge of the Forty-sixth Judicial District of Pennsylvania; and Bree Buchanan, formerly a legal-aid attorney in central Texas, now in private practice in Austin.

Bar associations, bar foundations, and young lawyer affiliates have been instrumental in establishing, supporting, and promoting youth courts. The Young Lawyers Division of the American Bar Association promoted youth courts with their 1987 publication, *Teen Court: Preventing Recidivism of Teenage Crime and Drug Abuse*. The Young Lawyers spearheaded the American Bar Association's 1995 resolution* encouraging support for youth courts. State and local bar asso-

* RESOLVED, That the American Bar Association encourages state and territorial legislatures, court systems, and bar associations to support and assist in the formation and expansion of diversionary programs, known as Youth Courts, where juvenile participants, under supervision of volunteer attorneys and advisory staff, act as judges, jurors, clerks, bailiffs, and counsel for first time juvenile offenders who are charged with misdemeanors and consent to the program. Adopted by the ABA House of Delegates August 9, 1995.

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ciations and foundations, such as the Young Lawyers Division of the Anchorage Bar Association in Alaska; the Young Lawyers Section of the Palm Beach County Bar Association in Florida; the Austin Young Lawyers Association in Texas; the Young Lawyers Division of the Nashville Bar Association; the Law, Youth, and Citizenship Program of the New York State Bar Association; and the Wyoming State Bar Foundation (see box), were instrumental in the creation and support of local youth courts. The Division for Public Education of the American Bar Association has served as a national clearinghouse for youth courts since 1991 and has extensively promoted youth courts through its National Law-Related Education Resource Center, LRE conferences, and publications.

Evaluation

Youth court advocates generally agree that their most important goals are educating young participants about the judicial process, having a positive impact on participants' social competence, providing victims with apologies and/or restitution, and providing service to the community. Preventing repeat offenses (recidivism) and influencing young people to resist the temptation to become delinquent are also valid goals of youth courts. Since youth courts tend to function on minimal funding, finding the time and money to determine their success in meeting their goals has been difficult. Following are summaries of a few of the evaluations to date.

Rod Hissong's evaluation (1991) of a youth court program in Arlington, Texas, matched offenders sentenced by youth court with non-youth court participants who had contemporaneously committed similar offenses. From a sample of 392 teenagers over a period of 24 months, the research found that only 25 percent of the individuals who participated in youth court had recidivated by the end of the study, while 36 percent of the teens not involved in youth court had recidivated.

The North Carolina Administrative Office of the Courts' "Report on Teen Court Programs in North Carolina" (1995) stated that the two most important effects suggested by interviews with persons familiar with youth court were (A) juveniles were processed in a manner that demonstrated to them that there were consequences to their misbehavior and (B) youth court was a learning and behavior-modification experience for both offenders and volunteers. The report found no difference in the tendency to recidivate for the youth court and the preprogram (control) group that was not accounted for by the factors of age and type of offense*.

The Wyoming Bar and Youth Court

Support for youth courts begins in many ways. The Wyoming Bar Association and Foundation jointly became involved in youth courts through the interest expressed by high school students. The Wyoming Bar cooperated with the Wyoming LRE Council in sponsoring the 1995 Wyoming Youth Summit, supported by funding from the Youth for Justice Program of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Youth Summits provide students from around the state an opportunity to meet and explore ways to prevent violence. The consensus of the 75 students attending the 1995 Summit was that their state should pass legislation to create youth courts. Part of the students' Youth Summit experience was to visit the capitol to make presentations in support of youth courts to House and Senate Judiciary hearings. The students' lobbying was a success and their legislation passed in 1996. Subsequently the state bar and the Wyoming LRE Council cooperated to create youth courts in five cities—Rock Springs, Powell, Cody, Sheridan, and Cheyenne. Each court is autonomous and receives support from local bar associations. The cooperation of the state and local bar with the Law-Related Education Council is one model of how youth courts can be created and supported.

SRA Associates' evaluation (Jones 1995) of Routes For Youth—Teen Court in Santa Rosa, California, measured five program-related outcomes:

- A reduction in recidivism among the target population. During the 18-month period of evaluation, only 2.5 percent of 238 youth court referrals were reported by Juvenile Probation as re-arrests.
- Law-related education. In 1994, 380 young people took part in youth court training, learning basic courtroom procedure and protocol. In addition, trainees were mentored by adult attorneys in listening and communications skill, traditional conflict mediation techniques, and how to research and analyze police reports effectively.

* Data collected on all juveniles referred to youth court during an eight-month period in 1993–94 was compared to data collected on juveniles who were diverted by the police and intake during the same period in 1992–93 (contemporaneous subjects were not available for comparison). Although an effort was made to match the control sample to the youth court sample (police and intake were asked to screen the control group to select only those who they would have been referred to youth court had it been an available resource at the time), substantive changes in policy and procedure resulted in a larger number of driving, weapon, controlled substance, and alcohol offenses in the youth court sample. The brevity of the evaluation period was due to the minimum time available for tracking youth court participants (the program was relatively new).

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- The provision of opportunities for a positive collaborative relationship between law enforcement and the youth community. The program's requirement that defendants accept responsibility for their actions before participating in youth court, the courtroom process that demands accountability from the offender in terms of restitution and community service, and the participation of youth volunteers in the court process demonstrated a positive collaboration between law enforcement and the youth community.
- The collection and distribution of financial restitution. In 1994, a total of $2,806 in financial restitution (median amount was $71.50) was collected and distributed to crime victims.
- The contribution of community service. A total of 4,008 community-service hours (median was 25 hours served) were provided by youth offenders in a wide variety of public and not-for-profit agencies.

James B. Wells and Kevin I. Minor's evaluation (1997) of Kentucky's Teen Court Program assessed youth courts in several sites around the state using a variety of data collection strategies, including knowledge tests, attitudinal measures, field observations, exit evaluations, and recidivism data. Following are their central findings:

- With minor exception, defendants provided with both pretest and posttest data showed gains in knowledge test scores.
- Participants' posttest scores suggested moderately high attitudes toward youth court.
- Most participants' parents perceived their children as benefiting a great deal from the youth court experience.
- Information from a limited number of participants indicated that the most positive features of youth court were learning about the legal system and deterring defendants and others from committing offenses.
- The recidivism rate from cases processed in the 1994-95 session was 37 percent. Compliance with youth court sentences was found to be associated with a reduced likelihood of recidivism. Gender, age, and prior offenses were not related to recidivism.

Recognizing the need for more evaluative information about youth courts, OJJDP awarded a grant to the Urban Institute in 1998 to conduct a national evaluation of youth courts. In order to document the characteristics of youth courts, Urban Institute researchers mailed questionnaires to every known youth court program in the country in late 1998 and summarized the results in *OJJDP Fact Sheet: Teen Courts in the United States: A Profile of Current Programs* (Oct. 1999 #118). Their next phase was to conduct process and impact evaluations at four youth courts to measure the intended outcomes, such as reduced recidivism, increased prosocial attitudes, and improved perceptions of justice. Results of the evaluation are expected to be available in 2001.*

Funding

The grass-roots origins of most youth courts have resulted in support from a wide variety of funding sources. Examples of state support for youth courts were given earlier in this publication. Sources for federal funds include

- The National Highway Traffic Safety Administration (NHTSA), an agency of the U.S. Department of Transportation, provides federal dollars to states to dispense locally for programs that address highway safety concerns, such as underage drinking and impaired driving. For information about those grants, contact your state Highway Traffic Safety Office. For a list of those telephone numbers, call NHTSA at (202) 366-2121.
- The Bureau of Justice Assistance (BJA) Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program provides federal matching grants to states to help create safer communities and improved criminal justice systems. To learn the telephone number of the state office administering those grants, call BJA at (202) 514-6638.
- The Office of Juvenile Justice and Delinquency Prevention (OJJDP) provides states with Formula Funds and Juvenile Accountability Incentive Block Grants for accountability in the juvenile justice system. The Formula Funds also provide grants for delinquency prevention. Information about both funding programs and a list of the state juvenile justice specialists who administer the programs are available at OJJDP at (202) 616-2368.
- The U.S. Department of Education's Safe and Drug-Free Schools Program helps state and local educational agencies and other nonprofit organizations develop and operate drug and violence prevention programs. For a list of state coordinators of the program, call the Safe and Drug Free Schools Program at (202) 260-3954.

There are many foundations and charitable organizations that help support youth courts. Most are local to the community but may have national affiliation, such as the Junior League, the American Legion Auxiliary, YMCA, the United Way, and Boys and Girls Clubs. State and local bar associations and bar foundations are often involved in providing funding.

Many youth courts receive funding (and in-kind support) from city and county governments, juvenile courts, juvenile probation, and school districts. Less frequently, youth courts impose service fees. Many youth courts are in a constant quest for additional and more stable sources of funding, although they are among the least expensive crime prevention programs to operate.

* For further information, contact: Jeffrey A. Butts, Ph.D., Senior Research Associate, The Urban Institute, Program on Law & Behavior, 2100 M Street, NW, Washington, DC 20037, (202) 261-5514, Fax (202) 659-8985, JButts@ui.urban.org

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Conclusion

Youth courts offer the active learning of law-related education through hands-on experience with the justice system. Young offenders and the juveniles who determine their sentences are practicing good citizenship through community service. Youth courts are most frequently created at the local level, but recent legislation has allowed more youth courts to be initiated through state governments. Youth courts have varying structures, tailored to local conditions. Most youth courts operate on limited budgets with strong volunteer support. Research shows that youth courts promote understanding of the legal system, reduce recidivism, and encourage participants to accept responsibility for their actions. Local, statewide, and federal commitments to youth courts indicate they will continue to spread rapidly and provide a positive alternative to traditional juvenile justice and school disciplinary procedures.

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North Carolina Administrative Office of the Courts. "Report on the Teen Court Programs in North Carolina." Photocopied. Submitted to the North Carolina General Assembly, March 15, 1995.

Wells, James B., and Kevin I. Minor. "Kentucky's youth court Initiative: An Assessment." Photocopied. Prepared for Kentucky Court of Justice, Administrative Office of the Courts, Frankfort, Ky., 1997.

Resources

Many youth courts are generous in sharing copies of their bylaws, training manuals, forms, and other helpful information with those who contact them. A list of youth courts is available through the National Youth Court Center, listed on page 12. Below is a selection of resources for youth courts.

BOOK

National Youth Court Guidelines by Tracy M. Godwin, American Probation and Parole Association (2000). Developed by the National Youth Court Center, these guidelines will assist all models o, youth courts in developing policy and implementing practices that promote accountability and integrity. Topics include: program planning and community mobilization, program staffing and funding, legal issues, the referral process, volunteer recruitment and training, case management, and program evaluation. The Center is also compiling a compendium of resources to assist in the implementation of the guidelines. Available from the National Youth Court Center, APPA, P.O. Box 11910, Lexington, KY 40578-1910, Fax: (606) 244-8001, E-mail: nycc@csg.org

Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs (#NCJ162782) by Tracy M. Godwin, American Probation and Parole Association (1996). A free 200+ page comprehensive guide to what youth courts are and how to create them. Includes chapters on how to organize the community; legal issues to address; developing the program purpose, goals, and objectives; determining a target population and designing a referral process; designing program services; developing a program model and procedures and implementing effective case management practices; recruiting, using, and training volunteers; examining human and financial resource issues; and program evaluation. Available through the OJJDP's Juvenile Justice Clearinghouse at (800) 638-8736 or on their Web site at: www.ncjrs.org/peerhome.html

EDUCATION CURRICULUM (for offenders)

Community Service Education Curriculum from Street Law, Inc. (2000). These law-related education lessons are linked to the most common offenses for which youth are referred to youth courts. They can serve a part of the disposition for offenses such as assault/fighting, substance abuse, theft/shoplifting, and vandalism/trespass. The manual includes guidance for incorporating interactive law-related education teaching strategies for the lessons. For more information, please contact Maureen Meyer at Street Law, Inc., 1600 K St., NW, suite 602, Washington, DC 20007, Fax: 202/293-0089, E-mail: mmeyer@streetlaw.org.

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EDUCATION/TRAINING MATERIALS

(for youth volunteers)

Anchorage Youth Court Law Class. A 142-page manual used to train Tribunal Model court participants in a seven-week course. Topics addressed are the court system; roles of the adult, juvenile, and youth courts; responsibilities of various youth court officers; researching the law; interviewing and preparing witnesses; juvenile rights; ethics; case preparation; sentencing options; mock hearing; a glossary; and much more. There is also a 75-page advanced training packet focusing on the levels of criminal courts, the criminal process, the roles of the officers of Youth Court, defining and locating statutes, and investigating and preparing a case. Each manual is available, in limited quantities, from Anchorage Youth Court, P.O. Box 102735, Anchorage, AK 99510, (907) 274-5986

Northeast Law/Public Service and Military Magnet High School: School Court Project by Karen Birgam (1992). This 92-page manual provides the rationale and factual content of the two-semester course. Topics include the school court rules; courtroom procedure; outlines for the opening statement, direct examination, cross-examination, and closing argument; sample scripts, evaluation forms, and role-play critique sheets for participants in the court hearings; school court forms; and a court organization review outline. Available in limited quantities from Millie Aulbur, The Missouri Bar, P.O. Box 119, Jefferson City, MO 65101-3158, (573) 635-4128, E-mail: millea@ mobar.org.

Youth Court Training Manual by Assistant U.S. Attorney Thomas Spina Jr. and Federal Judge David R. Homer, New York (1996). A 65-page (plus appendices) manual used in the ten-week training program for participants in The Colonie Youth Court (Youth Judge Model). Includes the organization, jurisdiction, and operation of Youth Court; types of offenses and sentencing issues; roles of the participants in the sentencing hearing; rules of evidence; and consequences of offenses. Appendices include state penal law and vehicle and traffic law, forms, and an overview of the criminal justice system. Available (free) in limited quantities from Violet Colydas, Director, The Colonie Youth Courts, Public Safety Building, 312 Wolf Rd., Latham, NY 12110, (518) 782-2638.

National Youth Court Youth Volunteer Educational/Training Package (2001—in development). The American Bar Association is creating a package consisting of youth volunteer handbooks, an instructor's guide, and a brief videotape. The volunteer handbooks (for adult judge, youth judge, tribunal, and peer jury models) will provide an overview of the youth court experience, covering such topics as the justice system, understanding the balanced restorative justice approach, conducting a hearing, and deliberating on a disposition. The instructor's guide will assist facilitators in planning an effective educational/training program and provide lessons on the topics addressed in the youth handbooks. The video will provide an overview of youth courts and highlight the learning opportunities and outcomes they provide. For information, contact: ABA Division for Public Education, 541 N. Fairbanks Ct., Chicago, IL 60611-3314 (ATTN: P. Nessel), E-mail: pnessel@ staff.abanet.org

FACT SHEETS

National Youth Court Center (OJJDP Fact Sheet May 2000 #07) by Mistene Vickers. A brief description of the Center's services and partnerships. Available at http://www.ncjrs.org/jjfact.htm#courts or through the OJJDP Juvenile Justice Clearinghouse at (800) 638-8736 (#FS-200007).

Teen Court in the United States: A Profile of Current Programs (OJJDP Fact Sheet October 1999 #118) by Jeffrey Butts, Dean Hoffman, and Janeen Buck. A brief summary of the results of a survey of youth courts conducted by the Urban Institute of Washington, D.C., in late 1998. Available at http://www.urban.org/authors/butts2.html or through the OJJDP Juvenile Justice Clearinghouse at (800) 638-8736 (#FS-99118).

VIDEOTAPES

How Teen Court Gave Me Another Chance. (1998) 26 minutes. Describes the Knox County Teen Court (Adult Judge Model) and documents how two high school students created their award-winning youth court Web site (see next page). To order, contact Knox County Teen Court, 55 W. Tompkins St., Galesburg, IL 61201-4400. Cost: $25.00.

Odessa Teen Court. (1993) 11 minutes. Describes the Adult Judge Model youth court. To order, contact Tammy Hawkins, Odessa Teen Court, Municipal Court, 201 N. Grant Ave., Odessa, TX 79761, (915) 335-3352. Cost: $25.00.

World in Action: Boys and Girls of the Jury. (1996) 25 minutes. A British television program that examines an Adult Judge Model youth court in Sarasota, Florida, and considers whether youth courts would be effective in Great Britain. To order, contact Kathleen Self, Sarasota County Teen Court, P.O. Box 48927, Sarasota, FL 34230-5927, (941) 951-4278. Cost: $12.00.

Youth Court: A National Movement. (1998) 2 hours. Hosted by OJJDP Administrator Shay Bilchik, this tape of a satellite teleconference examines models of youth courts from three parts of the nation—The Colonie, New York; Odessa, Texas; and Oakland, California. To order, call OJJDP's Juvenile Justice Clearinghouse at (800) 638-8736. Cost: $17.00 (product #NCJ171149)

(continued on next page)

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WEB SITES

Knox County Teen Court (Galesburg, Illinois)
http://tqd.advanced.org/2640
An award-winning, student-created site with a policy and procedure manual, judge's manual, statistics, history of the program, real audio interviews with students, basic waiver forms, volunteers, mock trials, and much more.

National Youth Court Center
http://www.youthcourt.net
A broad spectrum of information about youth courts, including a national directory and information about training, technical assistance, and the National Youth Court Conference.

Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs
http://www.ncjrs.org/peerhome.html
The full text (minus appendices) of the book described on page 10.

ADDITIONAL INFORMATION

American Bar Association Division for Public Education, 541 N. Fairbanks Ct., Chicago, IL 60611-3314, Attention: Paula Nessel; Web: www.abanet.org/publiced; Fax: (312) 988-5494; E-mail: pnessel@staff.abanet.org. For information about the youth volunteer educational/training package.

National Youth Court Center, American Probation and Parole Association, P.O. Box 11910, Lexington, KY 40578-1910, Attention: Tracy Godwin; Fax: (606) 244-8001; E-mail: nycc@csg.org. For a national directory of youth courts, information about youth court training and technical assistance, and much more.

Phi Alpha Delta Public Service Center, 345 N. Charles St., Baltimore, MD 21201, Attention: Paula Erickson; Fax: (410) 347-3119; E-mail: padpsc@aol.com. For information about lawyer/law student recruitment for youth courts.

U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 810 Seventh Street, NW, Room 8138, Washington, DC 20531, Attention: Scott Peterson; Tel. (202) 616-2368; Fax: (202) 353-9095; E-mail: peterson@ojp.usdoj.gov. For information about funding, training, and technical assistance.

TECHNICAL ASSISTANCE BULLETINS

Below is a list of titles in the American Bar Association Division for Public Education's *Technical Assistance Bulletin* series. They are free, in limited quantities. Order by mail: ABA Publications Dept., P.O. Box 10892, Chicago, IL 60610-0892 Order by fax: (312) 988-5568

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18 Youth Summits: Engaging Young People in Violence Prevention PC#497-0101

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